



## UNITED STATES PATENT AND TRADEMARK OFFICE

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*LFW*

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/811,775	03/29/2004	Michael J. Wallace	UTXC:779US

32425  
 FULBRIGHT & JAWORSKI L.L.P.  
 600 CONGRESS AVE.  
 SUITE 2400  
 AUSTIN, TX 78701



CONFIRMATION NO. 9513

## FORMALITIES LETTER



\*OC000000012993044\*

Date Mailed: 06/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$982** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$1432** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

10/22/2004 BABRAHA1 00000038 10811775

01 FC:2001	395.00 OP
02 FC:2051	65.00 OP
03 FC:2202	36.00 OP
04 FC:2203	150.00 OP

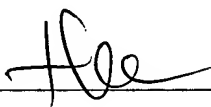
- Total additional claim fee(s) for this application is **\$982**

- **\$837** for **93** total claims over 20.
- **\$145** for multiple dependent claim surcharge.

Replies should be mailed to:   Mail Stop Missing Parts  
  Commissioner for Patents  
  P.O. Box 1450  
  Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to be 'Hoe', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



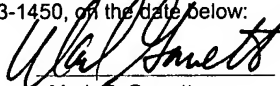
## FULBRIGHT & JAWORSKI L.L.P.

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October 18, 2004

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
October 18, 2004	
Date	Mark T. Garrett

**MS MISSING PARTS**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/811,775 entitled "MEDICAL DEVICES AND RELATED METHODS" – Michael J. Wallace*  
*Our reference: UTXC:779US*  
*Client reference: MDA02-037*

Sir:

Please find enclosed:

- (1) A Response to Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b) mailed June 18, 2004;
- (2) Declaration;
- (3) Power of Attorney;
- (4) Preliminary Amendment;
- (5) Request for Extension of Time;
- (6) Copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 C.F.R. 1.53(b)-Filing Date Granted;
- (7) Check in the amount of \$861.00; and

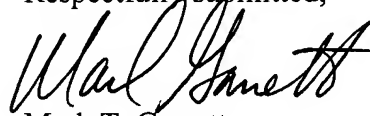
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Commissioner for Patents  
October 18, 2004  
Page 2

- (8) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

If the check is inadvertently omitted, or the amount is insufficient, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included, the Commissioner is authorized to deduct or credit the appropriate fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:779US.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark T. Garrett", written in a cursive style.

Mark T. Garrett  
Reg. No. 44,699

MTG/mar  
Encl: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael J. Wallace

Serial No.: 10/811,775

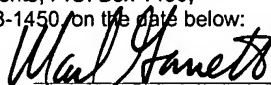
Filed: March 29, 2004

For: MEDICAL DEVICES AND RELATED  
METHODS

Group Art Unit: 3731

Examiner: Unknown

Atty. Dkt. No.: UTXC:779US

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:	
October 18, 2004	
Date	Mark T. Garrett

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL  
APPLICATION FILED UNDER 37 CFR 1.53(B)**

MS MISSING PARTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b), dated June 18, 2004, enclosed are:

- (a) Declaration executed on behalf of Michael J. Wallace;
- (b) A Power of Attorney on behalf of Board of Regents, The University of Texas System;
- (c) Preliminary Amendment;

- (d) Our check in the amount of \$512.00 to cover the basic filing fee (\$395.00 – utility small entity); surcharge for late filing (\$65.00); additional claims fee (\$36.00); multiple dependent claim fee (\$150.00); two month extension of time fee (\$215.00);
- (e) A copy of Notice to File Missing Parts of Nonprovisional Application filed under 37 CFR 1.53(b); and
- (f) A Request for Extension of Time of two months to and including October 18, 2004. Should such request be absent, consider this such a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 as stated below.

An Assignment to Board of Regents, The University of Texas System and a check for \$40.00 are being filed under separate cover.

If the check is inadvertently omitted, or should any additional fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, or should an overpayment be included herein, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:779US.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



Mark T. Garrett  
Reg. No. 44,699  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 474-5201

Date: October 18, 2004